

STATE OF GEORGIA

CITY OF STOCKBRIDGE

ORDINANCE NO.

OR 16-391

AN ORDINANCE TO ANNEX CERTAIN PROPERTY INTO THE CITY OF STOCKBRIDGE AND TO AMEND THE OFFICIAL ZONING MAP, CITY OF STOCKBRIDGE, GEORGIA, AS AMENDED; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING ORDINANCES; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the governing authority of the City of Stockbridge is the Mayor and Council thereof;

WHEREAS, the governing authority of the City of Stockbridge, Georgia desires to annex certain property into the City and to modify the zoning designation of certain property located within the City; and,

WHEREAS, the health, safety, and welfare of the citizens of Stockbridge, Georgia, will be positively impacted by the adoption of this Ordinance.

NOW THEREFORE, THE COUNCIL OF THE CITY OF STOCKBRIDGE HEREBY ORDAINS:

Section 1. The property described in Exhibit "A" (the "Property"), a copy of which is attached hereto and incorporated herein by reference, is hereby annexed into the City of Stockbridge, Georgia pursuant to the authority of O.C.G.A. Sections 36-36-1 *et seq.* and 36-36-90 *et seq.*

Section 2. The property described in Exhibit “A,” a copy of which is attached hereto and incorporated herein by reference, is hereby rezoned to PTD (Planned Town Development) (City of Stockbridge’s Classification) with conditions, such rezoning to be noted on the City of Stockbridge Official Zoning Map approved by Mayor and Council as soon as reasonably possible following adoption of this Ordinance by the Zoning Administrator along with an editorial note on the City of Stockbridge Official Zoning Map approved by Mayor and Council specifying the parcel(s) affected by this Ordinance and the date of adoption of this Ordinance. Until the rezoning is indicated on the City of Stockbridge Official Zoning Map approved by Mayor and Council, this Ordinance shall govern over the City of Stockbridge Official Zoning Map approved by Mayor and Council to the extent of any discrepancy between this Ordinance and the City of Stockbridge Official Zoning Map approved by Mayor and Council. Such rezoning shall be conditioned on the following:

1. The Property shall be developed in substantial accordance with the site plan shown in Exhibit “B,” a copy of which is attached hereto and incorporated herein by reference
2. No permits or plans for any development of the Property shall be approved by the City until such time as a development agreement encumbering the Property is entered into between the owners and/or developers of the Property and the City.

Section 3. The preamble of this Ordinance shall be considered to be and is hereby incorporated by reference as if fully set out herein.

Section 4. (a) It is hereby declared to be the intention of the Mayor and Council that all sections, paragraphs, sentences, clauses and phrases of this Ordinance are or were, upon their enactment, believed by the Mayor and Council to be fully valid, enforceable and constitutional.

(b) It is hereby declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Ordinance is severable from every other section, paragraph, sentence, clause or phrase of this Ordinance. It is hereby further declared to be the intention of the Mayor and Council that, to the greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this Ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this Ordinance.

(c) In the event that any phrase, clause, sentence, paragraph or section of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgment or decree of any court of competent jurisdiction, it is the express intent of the Mayor and Council that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid, unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or sections of the Ordinance and that, to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs and sections of the Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

Section 5. All ordinances and parts of ordinances in conflict herewith are hereby expressly repealed.

Section 6. Penalties in effect for violations of the Zoning Ordinance of the City of Stockbridge at the time of the effective date of this Ordinance shall be and are hereby made applicable to this Ordinance and shall remain in full force and effect.

Section 7. The effective date of this Ordinance shall be the date of adoption unless otherwise specified herein.

ORDAINED this 1st day of April, 2016.

CITY OF STOCKBRIDGE, GEORGIA


Anthony S. Ford, Mayor Pro Tem

ATTEST:


Vanessa Holiday, City Clerk

APPROVED AS TO FORM:


Michael Williams, City Attorney

Date Presented to Mayor: 4-12-2016

Date Received from Mayor: 4-13-2016

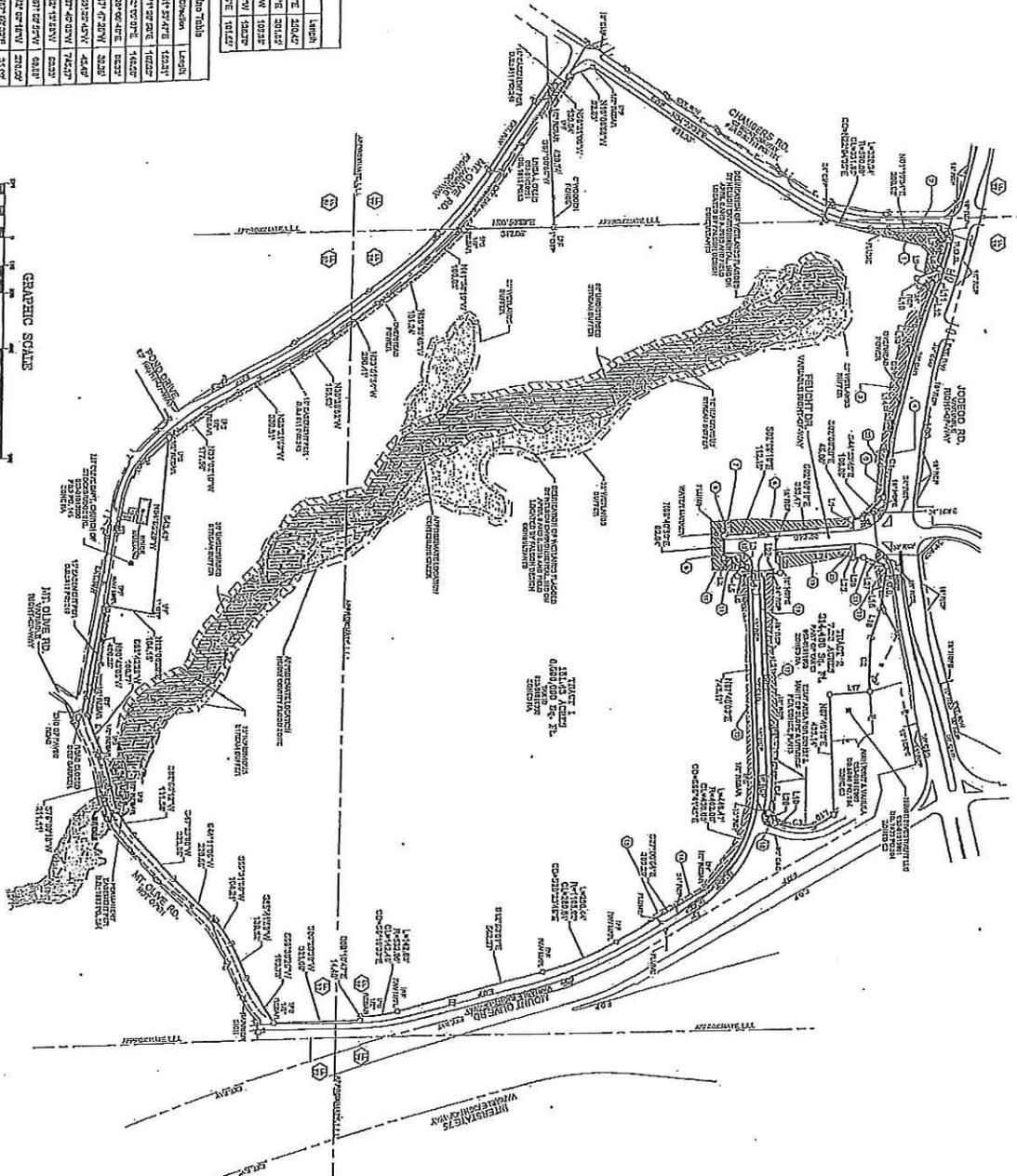


EXHIBIT "A"

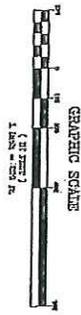
A portion of that certain parcel of land known as Tax Parcel Number 053-01018000 according to the system of numbering tax parcels in Henry County, Georgia, more particularly described as follows:

[Attach legal description for 158.65 acres]

AREA/ACSM SURVEY FOR:
BODEGA BAY, LLC AND FIDELITY NATIONAL
TITLE INSURANCE COMPANY
LAND LOTS 77, 78 & 83 6th DISTRICT
HENNEY COUNTY, GEORGIA



Corner	Asking	Bearing	Dist	Length
C1	204.0'	S84°57'42\"	204.0'	204.0'
C2	204.0'	S84°57'42\"	204.0'	204.0'
C3	204.0'	S84°57'42\"	204.0'	204.0'
C4	204.0'	S84°57'42\"	204.0'	204.0'
C5	204.0'	S84°57'42\"	204.0'	204.0'
C6	204.0'	S84°57'42\"	204.0'	204.0'
C7	204.0'	S84°57'42\"	204.0'	204.0'
C8	204.0'	S84°57'42\"	204.0'	204.0'
C9	204.0'	S84°57'42\"	204.0'	204.0'
C10	204.0'	S84°57'42\"	204.0'	204.0'



Lot	Area	Description
1	1.23	Lot 77
2	1.23	Lot 78
3	1.23	Lot 83
4	1.23	Lot 84
5	1.23	Lot 85
6	1.23	Lot 86
7	1.23	Lot 87
8	1.23	Lot 88
9	1.23	Lot 89
10	1.23	Lot 90
11	1.23	Lot 91
12	1.23	Lot 92
13	1.23	Lot 93
14	1.23	Lot 94
15	1.23	Lot 95
16	1.23	Lot 96
17	1.23	Lot 97
18	1.23	Lot 98
19	1.23	Lot 99
20	1.23	Lot 100

REVISIONS

No.	Date	Description

AREA/ACSM SURVEY FOR:
BODEGA BAY, LLC AND FIDELITY NATIONAL
INSURANCE COMPANY
LAND LOTS 77, 78 & 83 6th DISTRICT
HENNEY COUNTY, GEORGIA

RALCON DESIGN
 ENGINEERING SURVEYING

DATE: 1-20-20
 SCALE: 1"=50'
 SHEET NUMBER: 2 OF 2
 DRAWN BY: [Name]
 CHECKED BY: [Name]

THIS PLAN WAS PREPARED FOR THE
 PURPOSE OF THE PROJECT DESCRIBED
 HEREIN. THE ENGINEER HAS CONDUCTED
 A VISUAL INSPECTION OF THE
 PROPERTY AND HAS FOUND NO
 EVIDENCE OF ANY OTHER
 SURVEYING OR RECORDS
 WHICH MIGHT AFFECT THE
 ACCURACY OF THIS SURVEY.

SHEET NUMBER
2 OF 2

EXHIBIT "B"

SITE PLAN



Exhibit B
 1082
 Jodeco Crossing
 April 2016

Jodeco
 Henry County, Atlanta, Georgia
 RCP Companies
 4245 Bolnoral Drive
 Suite 204
 Huntsville, Alabama

3 SHEET BLOCK
 200 Pond Drive
 TEL: 256-538-3500
 FAX: 256-538-3524
 WWW.URBANDSIGN.COM

URBAN DESIGN ASSOCIATES
 Falcon Design Consultants
 La Quatro Bonci and Associates

DATE: April 2016
 PROJECT: Jodeco Crossing
 SHEET: JDA 8 2228

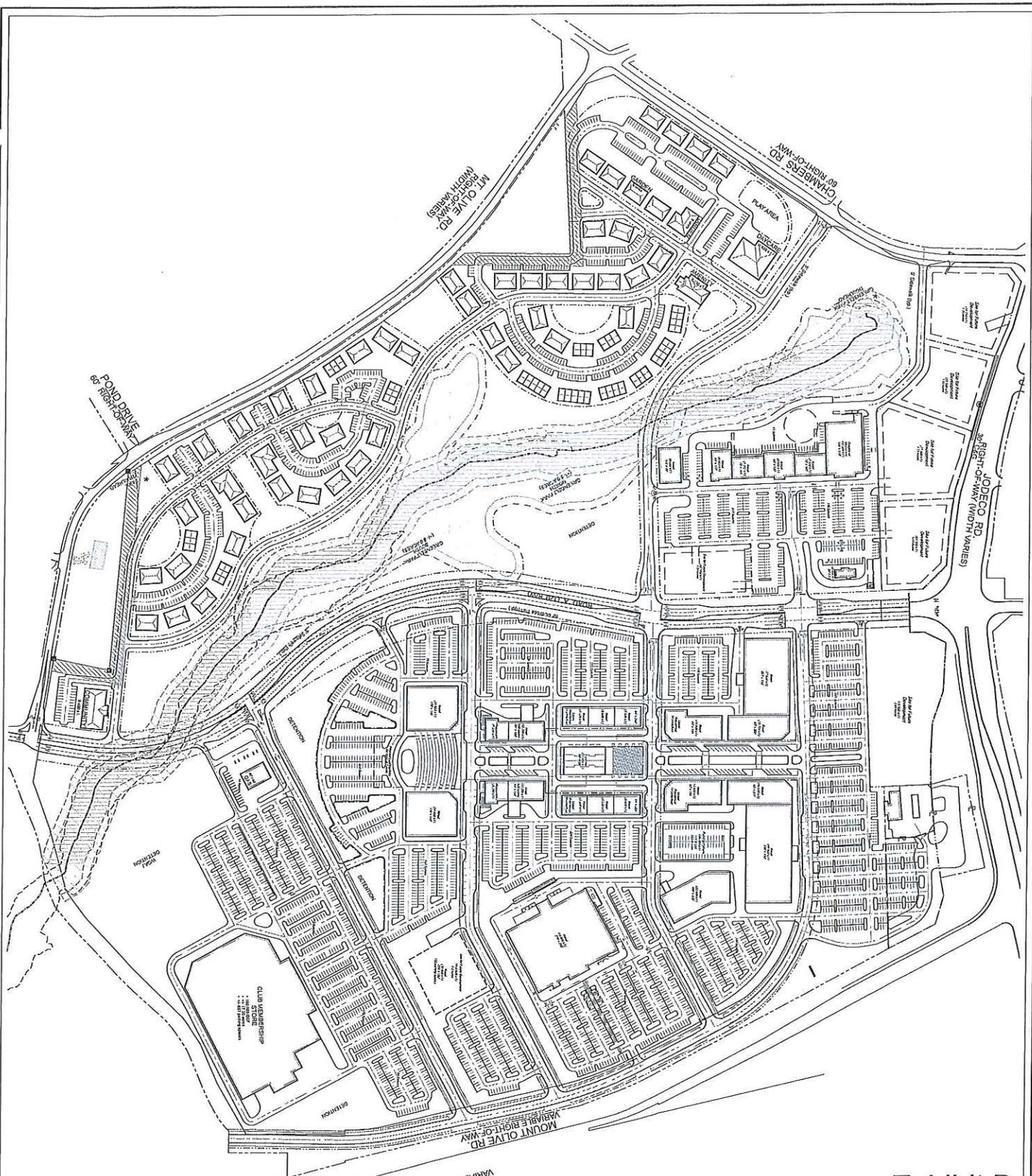


Exhibit B
 2 of 2
 Jodeco Crossing
 April 2016

Scale: 1" = 20'

Jodeco Crossing
 Henry County, Atlanta, Georgia

RCP Companies
 4245 Batmore Drive
 Suite 204
 Huntsville, Alabama

DATE: April 2016

PROJECT NO.: JCA # 4228

3 PRC P.L.L.C.
 200 NORTH PA 15322
 PITTSBURGH, PA 15222
 TEL: 412.533.5539
 FAX: 412.533.5539
 WWW.URBANDSIGNASSOCIATES.COM

URBAN DESIGN ASSOCIATES
 Falcon Design Consultants
 La Quatra Bonci and Associates